

REMARKS

This Amendment and Response is intended to fully respond to the Office Action mailed May 6, 2005. Claims 1-12 were examined in the Office Action and claims 1, and 5-12 stand rejected. Claims 2-4 were objected to. More specifically, claims 1, 5, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney et al. (USPN 5,940,384) in view of Silverman et al. (USPN 6,324,572); claims 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney et al. in view of Silverman et al., and further in view of Magnusson et al. (USPN 6,285,874); and claims 7, and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney et al. in view of Silverman et al., and further in view of Magnusson et al. (USPN 5,335,355). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, no claims have been added, amended, or canceled. Therefore, claims 1-12 remain present for examination.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 5, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney et al. (USPN 5,940,384) in view of Silverman et al. (USPN 6,324,572).

Applicants respectfully traverse the section 103 rejections. The Examiner has failed to substantiate a prima facie case of obviousness because one or more of the requirements of a prima facie case is absent. Indeed, such a prima facie case can only be met when **all** of the following requirements are met: (1) there must be some suggestion or motivation in the references themselves (or in the knowledge available to those skilled in the art) to combine the references; (2) there must be a reasonable expectation of success; and (3) the combined references must teach or suggest all the claim limitations. See MPEP §§ 706.02(j) and 2143. In this case, the combination of Carney and Silverman does not teach all of the claim limitations, e.g., the comparison or modification of cell receiver transfer data.

As defined in the claims, the present invention relates to methods and systems for reconciling cell face or cell receiver transfer data in one form to match cell face or cell receiver transfer data in another form. Embodiments of the invention include automatic read and

comparison modules for reading cell receiver transfer data from one form and automatically comparing the cell receiver transfer data to the data in another form. An automatic modification module automatically changes cell receiver transfer data entries in one form to match data in entries of another form. Cell receiver transfer data is involved in the process of selecting and switching cellular calls among cell faces. That is, a method according to one embodiment of the present invention involves comparing and modifying data regarding cell sites (cell antennas) and the cell faces (cell receivers) mounted to those cell sites. In particular, the cell receiver transfer data includes a list, such as a directed retry list, of available cell sites and the corresponding cell faces that can receive a signal transferred from another cell site.

Carney describes a system to accept multiple air interface standards. See Abstract and col. 3, lines 54-57. The system of Carney uses a wideband, multichannel digital transceiver and a time division multiple-access (TDM) bus to provide digitals samples of a plurality of wireless communication channels. See col. 2, line 63 – col. 3, line 3. Carney does not disclose cell transfer data used in the process of selecting and switching cell faces for cellular calls. Certainly, Carney describes cellular antennas and receiving cellular signals, but Carney does not describe the process, and more importantly, the cell transfer data required to transfer a cellular call from a cell face of one cellular antenna to another cell face of another cellular antenna. Providing a system to receive multiple air interface standards is different from modifying the cell transfer data because the cell transfer data would still need to be changed even if the cellular system were modified to receive multiple air interface standards. Carney does not provide for changing cell transfer data.

Silverman does not compensate for the shortcomings of Carney. Silverman describes a method and system for generating and distributing a record of state information. State information is related to a service connection between a server and a client. See col. 3, lines 34-35. In particular, the state information includes information about the owner of the record, a handle for the record, a version for the record, a leader for the record, and a data of the record. See col. 5, lines 10-29. The state information does not include the cell transfer data for cell faces on a cell antenna. While Silverman teaches comparing one version of state information to another version of the state information, Silverman does not teach comparing cell transfer data

because state information and cell transfer data are different types of data. See col. 5, lines 44-54.

Thus, as a matter of law, for the aforementioned reasons, Applicants assert that the combination of Silverman and Carney does not disclose, implicitly or explicitly, all the claim limitations in the present invention.

Given that the combined references do not teach or suggest all the claim limitations, claims 1, 5, and 8 are believed to be allowable over the prior art. That is, because Silverman and Carney do not disclose the comparing and modifying of cell receiver transfer data, claims 1, 5, and 8 are not obvious in light of Silverman and Carney. Similarly, all claims depending from those claims are also believed to be allowable and reconsideration of the outstanding rejections in light of these remarks is respectfully requested.

Claim Objections

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants believe these claims are now allowable after consideration of the remarks regarding the rejection of claims 1, 5, and 8.

Conclusion

This Amendment fully responds to the Office Action mailed on May 6, 2005. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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